

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Liu *et al.* ART UNIT: 1637
SERIAL NO.: 10/643,752 EXAMINER: S. K. Mummert
FILED: August 19, 2003 CONFIRMATION NO.: 4082
TITLE: EVOLVING NEW MOLECULAR FUNCTION

Terminal Disclaimer

I, Anne I. Craig, with a business address of Harvard University, Holyoke Center, 1350 Massachusetts Avenue, Cambridge, MA 02138-3834, state that I am a representative authorized to sign on behalf of President and Fellows of Harvard College, identified below as the assignee of the entire right, title and interest in and to the above-identified patent application, U.S. Patent Application Serial No. 10/643,752. I have reviewed all the evidentiary documents accompanying or referred to in the instant Terminal Disclaimer and certify that, to the best of my knowledge and belief, title to the above-identified application is in the name of President and Fellows of Harvard College.

President and Fellows of Harvard College, of 17 Quincy Street, Cambridge, Massachusetts, 02138, is the assignee of the entire right, title and interest in and to the above-identified application, U.S. Patent Application Serial No. 10/643,752, by virtue of an assignment from the inventors to President and Fellows of Harvard College that was recorded in the United States Patent and Trademark Office at Reel 014717, Frame 0156, on November 21, 2003.

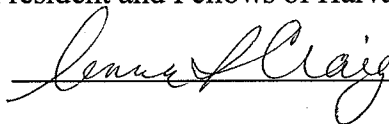
President and Fellows of Harvard College hereby waives and disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the full statutory term of U.S. Patent Nos. 7,070,928 and 7,223,545, and hereby agrees that any patent so granted on U.S. Patent Application Serial No. 10/643,752 shall be enforceable only for and during such period that the patent is commonly owned with U.S. Patent Nos. 7,070,928 and 7,223,545. This agreement runs with any patent granted on the instant application and is binding upon the Assignee, its successors or assigns.

President and Fellows of Harvard College does not disclaim any terminal part of the term of any patent granted on the instant application prior to the expiration date of the full statutory term of the later to expire of U.S. Patent Nos. 7,070,928 and 7,223,545, in the event that any said patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a re-examination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made in the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

ASSIGNEE: President and Fellows of Harvard College

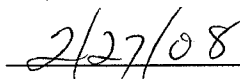
By:

_____

Name: Anne I. Craig

Title: Director of Intellectual Property

Date:

_____